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Letter dated 5 February 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Thailand to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith a copy of letter No. 1005/175 dated 5 February B.E. 2554 (2011) from His Excellency Mr. Kasit Piromya, Minister of Foreign Affairs of the Kingdom of Thailand, addressed to you (see annex), providing the facts of the recent incidents between Thailand and Cambodia.

I further have the honour to request that the above-mentioned letter be circulated as a document of the Security Council.

(*Signed*) Jakkrit **Srivali**
Minister
Chargé d'affaires a.i. of the Permanent Mission
of Thailand to the United Nations

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Annex to the letter dated 5 February 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Thailand to the United Nations addressed to the President of the Security Council

With reference to the letter dated 10 August 2010 from H.E. Mr. Abhisit Vejjajiva, the Prime Minister of Thailand, to H.E. Mr. Vitaly Churkin, President of the Security Council for the month of August 2010, I have the honour to draw your kind attention to the facts concerning the recent incidents between Thailand and Cambodia as follows:

1. On 4 February 2011, at 15.20 hours, Cambodian troops opened fire at a Thai military post at Phu Ma Khua in Thai territory, using heavy weapons such as mortars, rocket-propelled grenades, recoilless rifles, long-range artillery and multi-launcher rockets. At 16.20 hours of the same day, Cambodian troops also opened fire from the area of the Temple of Phra Viharn at a Thai military post at Pha Mor I Dang in Thai territory. In between the two incidents, several artillery shells were fired by Cambodian troops into Phum Srol village in Si Sa Ket Province of Thailand, located about 5 kilometres away from the border area. The incidents lasted until 18.00 hours.

2. On 5 February 2011, at 06.15 hours, Cambodian troops once again opened fire using weapons such as AK-47 rifles, mortars, rocket-propelled grenades, grenade launchers, and recoilless rifles at Thai troops stationed in the area of Phu Ma Khua in Thai territory. The incident lasted until 07.45 hours.

3. Such attacks, which were carried out indiscriminately, resulted in the death of one Thai civilian, one Thai military personnel, the injury of 13 Thai military personnel, severe damage to Thai civilian properties, and the evacuation of over 6,000 Thai civilians residing along the border area.

4. Such attacks by Cambodian troops were in violation of international law. While Thailand has always exercised maximum restraint, Thai soldiers had no choice but to exercise the inherent right of self-defence in accordance with Article 51 of the Charter of the United Nations. Such exercise of the right of self-defence was on the basis of necessity, proportionality and strictly directed at military targets from where the attacks were launched by Cambodian troops.

5. In this regard, Thailand would like to state its position as follows:

5.1 Thailand protests in the strongest terms against such repeated and unprovoked armed attacks by Cambodian troops, which constitutes an act of aggression and a clear violation of the sovereignty and territorial integrity of Thailand.

5.2 Thailand observes strictly the purposes and principles of the Charter of the United Nations and its obligations under international law. Thailand wishes to reiterate that it has fully complied with the Judgment of the International Court of Justice of 15 June 1962 in the case concerning the Temple of Preah Vihear. It is Thailand's steadfast conviction that any differences between two countries shall be settled by peaceful means, which is in line with the common understanding and desire of both Thai and Cambodian leaders.

5.3 Thailand reaffirms its commitment to working closely and in good faith with Cambodia through all existing bilateral frameworks, including the Joint

Commission on Demarcation for Land Boundary, the General Border Committee, the Regional Border Committee and the Joint Commission for Bilateral Cooperation, to advance cooperation and achieve peaceful resolution of differences between the two countries for the common benefit of the peoples of Thailand and Cambodia and the family of the Association of Southeast Asian Nations.

6. Both countries also look forward to the earliest meeting of the Joint Commission on Demarcation for Land Boundary as agreed during the Thailand-Cambodia Joint Commission for Bilateral Cooperation meeting, which was co-chaired by the Foreign Ministers of both countries, in Siem Reap, Cambodia, in the morning of 4 February 2011. Thailand is in consultation with Cambodia on the date of the next Joint Commission on Demarcation for Land Boundary meeting to be held in Thailand soonest.

7. Currently, all channels of bilateral communication are open and officials of both countries are engaging in close consultations.

I have the honour to request you to circulate the present letter to the members of the Security Council for their information.

(*Signed*) Kasit **Piromya**
Minister of Foreign Affairs of the Kingdom of Thailand